

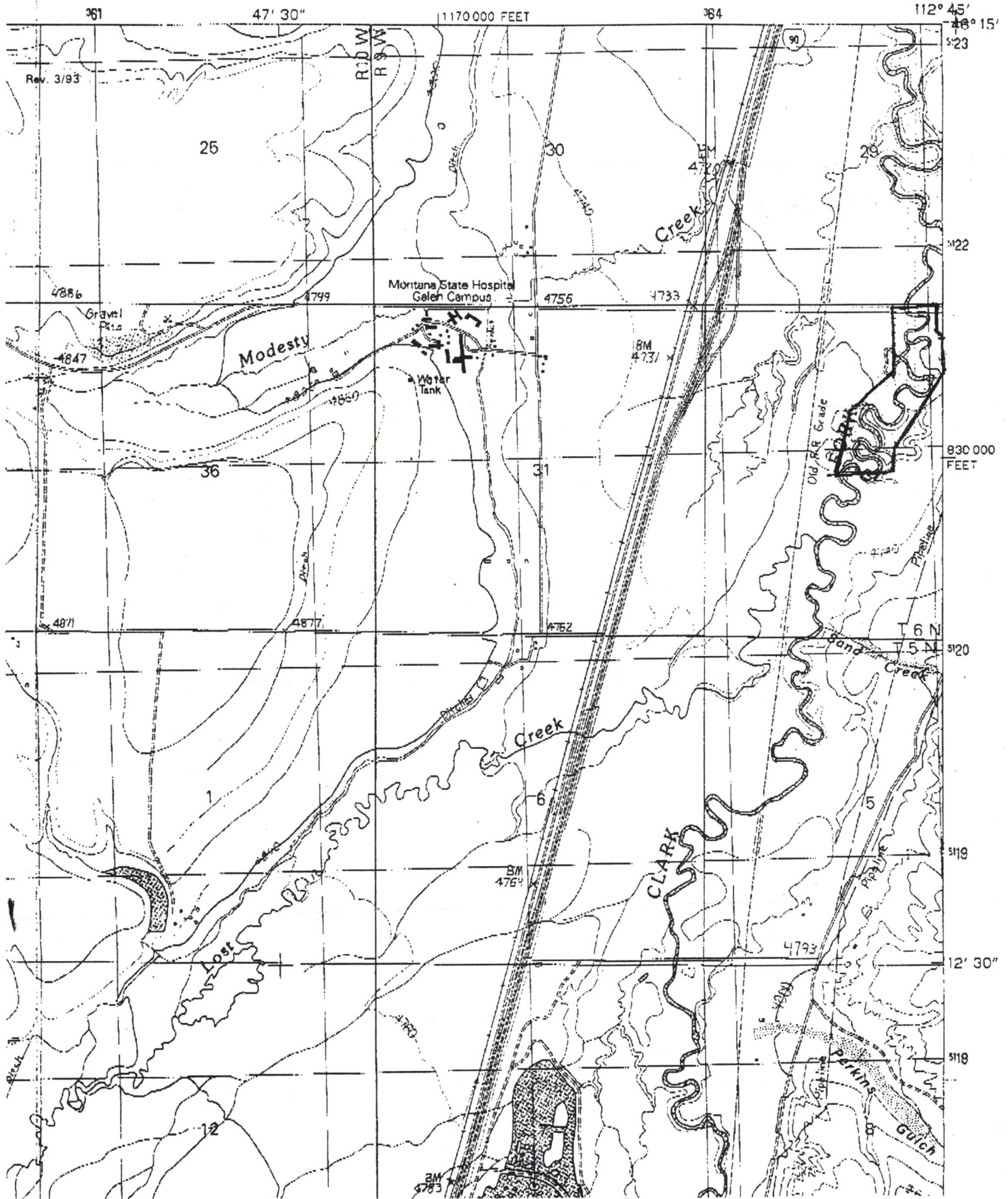
ENVIRONMENTAL ASSESSMENT FOR THE PROPOSED

STASNIK FISHING ACCESS

PART I. PROPOSED ACTION DESCRIPTION

1. **Type of Proposed State Action** ____
Acceptance of a fishing access and conservation easement on approximately 53 acres bordering the Clark Fork River.
2. **Agency Authority for the Proposed Action** ____
DFWP has the authority to accept the proposed donation under 87-1-209 and 87-1-605..
3. **Name of Project** ____
Stasnik Fishing Access and Conservation Easement
4. **Name, Address and Phone Number of Project Sponsor (if other than the agency)**
MTFWP, Wayne Hadley, 431 Boulder Road, Deer Lodge, MT 59722 406-846-3270
5. **If Applicable:**
Estimated Construction/Commencement Date NA____
Estimated Completion Date NA____
Current Status of Project Design (% complete) NA____
6. **Location Affected by Proposed Action (county, range and township)**
Deer Lodge County, 6N, 9W, S32 (See attached map and photos).
7. **Project Size:** Estimate the number of acres that would be directly affected that are currently:
 - (a) Developed:
residential 0 acres
industrial 0 acres
 - (b) Open Space/Woodlands/
Recreation 0 acres
 - Wetlands/Riparian
Areas Approx. 53 acres
 - (d) Floodplain Approx 53 acres
 - (e) Productive:
irrigated cropland 0 acres
dry cropland 0 acres
forestry 0 acres
rangeland 0 acres
other 0 acres
8. **Map/site plan:**
attach an original 8 ½" x 11" or larger section of the most recent USGS 7.5' series topographic map showing the location and boundaries of the area that would be affected by the proposed action. A different map scale may be substituted if more appropriate or if required by agency rule. If available, a site plan should also be attached.

7.5 MINUTE SERIES (TOPOGRAPHIC)



9. Narrative Summary of the Proposed Action or Project including the Benefits and Purpose of the Proposed Action.

The proposal includes the donation of an easement for the purposes of conservation and angler access to a 1.27 mile long section of the Clark Fork River and adjacent riparian areas totaling approximately 53 acres. The project is located immediately upstream of the Galen bridge over the Clark Fork about 2 miles east of the community of Galen. The area to be included in the easement was cooperatively fenced to exclude livestock grazing several years ago by the landowner and FWP. The acceptance of the easement would ensure protection of the area from livestock grazing, subdivision, or development inconsistent with fish and wildlife protection and would allow for continued access by recreational anglers.

Initial costs of the project would include the survey of the area and possibly an appraisal. The area has been operated unofficially as a fishing access area under an informal agreement between FWP and the owner. This has been accomplished by some modifications to the fences to allow easier foot access, the utilization of an off road parking area within the county rightofway for parking and the installation of a sign. Maintenance costs have been inconsequential. Increased public use in the future would likely require additional costs to be borne by FWP in the form of a toilet, an expanded parking facility, and greater costs for site maintenance. Future development would be subject to additional MEPA analysis.

The area is within the Clark Fork Superfund site and is contaminated by mine tailings deposited by stream action. Clean up activities will likely begin in a few years and will have considerable impact on the riparian zone. It will be necessary to closely monitor plans for cleanup to assure that they are not only thorough but carried out in a manner that will result in the best outcome for fish and anglers.

10. Listing of any other Local, State or Federal agency that has overlapping or additional jurisdiction.

The area is within the boundaries of the Clark Fork Superfund site. Thus the Environmental Protection Agency and the Montana Department of Environmental Quality would both have responsibilities relevant to this location.

(a) Permits:

<u>Agency Name</u>	<u>Permit</u>	<u>Date Filed/#</u>
NA		

(b) Funding: Fishing Access Account

<u>Agency Name</u>	<u>Funding Amount</u>
NA	

Other Overlapping or Additional Jurisdictional Responsibilities:

<u>Agency Name</u>	<u>Type of Responsibility</u>
Anaconda-Deer Lodge County Planning Board	Advisory

**11. List of Agencies Consulted During Preparation of the EA:
Natural Resources Damage Program**

PART II. ENVIRONMENTAL REVIEW

PHYSICAL ENVIRONMENT

1. LAND RESOURCES	IMPACT ^o				Can Impact Be Mitigated ^o	Comment Index
	Unknown ^o	None	Minor ^o	Potentially Significant		
Will the proposed action result in:						
▶ a. Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil which would reduce productivity or fertility?		X				
▶ c. Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

PHYSICAL ENVIRONMENT

2. AIR	IMPACT ^o				Can Impact Be Mitigated ^o	Comment Index
	Unknown ^o	None	Minor ^o	Potentially Significant		
Will the proposed action result in:						
▶ a. Emission of air pollutants or deterioration of ambient air quality? (also see 13 (c))		X				
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. ♦For P-R/D-J projects, will the project result in any discharge which will conflict with federal or state air quality regs? (Also see 2a)						
f. Other _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Air Resources (Attach additional pages of narrative if needed):

Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

▶ Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

PHYSICAL ENVIRONMENT

3. <u>WATER</u> Will the proposed action result in:	IMPACT [*]				Can Impact [*] Be Mitigated	Comment Index
	Unknown [*]	None	Minor [*]	Potentially Significant		
► a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of flood water or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. ♦♦For P-R/D-J, will the project affect a designated floodplain? (Also see 3c)						
m. ♦For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a)						
n. Other: _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (Attach additional pages of narrative if needed):

- ⚙ Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact not or can not be evaluated.
- Include a narrative description addressing the items identified in 12.8.604-1a (ARM)
- ♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- ♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

PHYSICAL ENVIRONMENT

4. <u>VEGETATION</u> Will the proposed action result in:	IMPACT [♦]				Can Impact Be Mitigated [♦]	Comment Index
	Unknown [♦]	None	Minor [♦]	Potentially Significant		
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			X			
b. Alteration of a plant community?			X			
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?		X				
f. ♦♦For P-R/D-J, will the project affect wetlands, or prime and unique farmland?						
g. Other: _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

4.a Minor changes in this category will likely result from weed control but this activity will not take place until Superfund remediation is completed.

4.b See above.

Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

► Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

PHYSICAL ENVIRONMENT

▶ 5. <u>FISH/WILDLIFE</u> Will the proposed action result in:	IMPACT [⊛]				Can Impact Be Mitigated [⊛]	Comment Index
	Unknown [⊛]	None	Minor [⊛]	Potentially Significant		
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?			X			
h. ♦♦For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f)		X				
i. ♦For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d)		X				
j. Other: _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):
5.g Increased recreational use by the public may have small effects in this category over a period of years.

HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT [⊛]				Can Impact Be Mitigated [⊛]	Comment Index
	Unknown [⊛]	None	Minor [⊛]	Potentially Significant		
a. Increases in existing noise levels?		X				
b. Exposure of people to severe or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other: _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

- ⊛ Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact not or can not be evaluated.
- ▶ Include a narrative description addressing the items identified in 12.8.604-1a (ARM)
- ♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- ♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

HUMAN ENVIRONMENT

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT ^o				Can Impact Be Mitigated ^o	Comment Index
	Unknown ^o	None	Minor ^o	Potentially Significant		
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				
e. Other: _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

HUMAN ENVIRONMENT

3. <u>RISK/HEALTH HAZARDS</u> Will the proposed action result in:	IMPACT ^o				Can Impact Be Mitigated ^o	Comment Index
	Unknown ^o	None	Minor ^o	Potentially Significant		
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				
b. Affect an existing emergency response or emergency evacuation plan or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. ♦For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		X				
e. Other: _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

HUMAN ENVIRONMENT

9. <u>COMMUNITY IMPACT</u> Will the proposed action result in:	IMPACT [☆]				Can Impact Be Mitigated [☆]	Comment Index
	Unknown [☆]	None	Minor [☆]	Potentially Significant		
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				
f. Other: _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

HUMAN ENVIRONMENT

10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u> Will the proposed action:	IMPACT [☆]				Can Impact Be Mitigated [☆]	Comment Index
	Unknown [☆]	None	Minor [☆]	Potentially Significant		
a. Have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:			X			
b. Have an effect upon the local or state tax base and revenues?		X				
c. Result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Result in increased used of any energy source?		X				
► e. Define projected revenue sources		X				
► f. Define projected maintenance costs.			X			
g. Other: _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

10.a FWP responsibilities for the easement will require small additional expenditures for maintenance and as user density warrants, result in the need for more parking, toilet facilities and maintenance costs.

10.f Costs in the immediate future should be under \$200 per year. As use increases at some date in the future, construction of parking facility, toilet installation and greater maintenance will be required.

- ☆ Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact not or can not be evaluated.
- Include a narrative description addressing the items identified in 12.8.604-1a (ARM)
- ◆ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- ◆◆ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

HUMAN ENVIRONMENT

▶ 11. AESTHETICS/RECREATION	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
Will the proposed action result in:						
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
▶ c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report)			X			
d. ♦For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c)		X				
e. Other: _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

11.c Acceptance of the easement will result in a small expansion of recreational opportunity for both local residents and tourists.

HUMAN ENVIRONMENT

12. CULTURAL/HISTORICAL RESOURCES	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
Will the proposed action result in:						
▶ a. Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. ♦♦For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a)		X				
e. Other: _____		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

▶ Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

HUMAN ENVIRONMENT

13. SUMMARY EVALUATION OF SIGNIFICANCE Will the proposed action, considered as a whole:	IMPACT [☆]				Can Impact Be Mitigated [☆]	Comment Index
	Unknown [☆]	None	Minor [☆]	Potentially Significant		
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources which create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. ♦For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e)		X				
g. ♦♦For P-R/D-J, list any federal or state permits required.		X				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

- ☆ Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact not or can not be evaluated.
- Include a narrative description addressing the items identified in 12.8.604-1a (ARM)
- ♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- ♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

Description and analysis of reasonable alternatives (including the no action alternative) to the proposed action whenever alternatives are reasonably available and prudent to consider and a discussion of how the alternatives would be implemented:

No action alternative. This option would place in jeopardy the opportunity for the recreational angling use of the property. Future owners might wish to close the land to public access. No foot access would be possible due to the depth of the water. Floaters would be able to access the site but would be unable to enter or leave the stream except at public right of ways.

Accept donated easement. Acceptance of the donated easement would simply establish a legal right to continue the management and access policy that has been in place for several years. It would ensure that public access would not be lost and that livestock grazing, subdivision or development within the riparian corridor would be prevented. The easement would allow for moderate facility construction (toilet, parking) as the need arises.

3. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

None relevant to other agencies since no change in current use is proposed. Conditions of the easement would require compliance of future fee title holders.

Based on the significance criteria evaluated in this EA, is an EIS required? YES / NO If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:

An environmental analysis is adequate, rather than an environmental impact statement, since the proposed action is not precedent setting, it will cause no long-term adverse effect, and does not constitute a significant change from current practices.

5. Describe the level of public involvement for this project if any and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances See appended list of distribution of EA for comment. Yes, the project simply extends current management practices into the future.

6. Duration of comment period if any:
Twenty-one days from issuance.

7. Name, title, address and phone number of the Person(s) Responsible for Preparing the EA:

Wayne Hadley, Fisheries Biologist, MTFWP, 431 Boulder Road, Deer Lodge, MT 59722 406-846-3270